



Western

Australia

RECORD OF INVESTIGATION INTO DEATH

Ref No: 47/2012

I, Alastair Neil Hope, State Coroner, having investigated the suspected death of Sarah Anne McMAHON with an Inquest held at Perth Coroner's Court on 11-14 December 2012, find beyond reasonable doubt that the death has been established, that the identity of the deceased person was Sarah Anne McMAHON and that death occurred on or about 8 November 2000 at an unknown location as a result of unknown causes, by way of Unlawful Homicide, in the following circumstances -

Counsel Appearing :

Philip Urquhart Counsel Assisting the State Coroner
John Rando (John Rando & Co) appearing on behalf of Natasha Kendrick

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INTRODUCTION

Sarah Anne McMahon was 20 years of age when she disappeared on the afternoon of Wednesday 8 November 2000.

At the time she was residing with her parents in their family home in Parkerville.

She was reported missing on the following day by her mother. Since 8 November 2000 she has made no contact with her family or friends. Police investigators are satisfied that there have been no reliable sightings of her.

Police investigators advised that all usual avenues of enquiry in the case of missing persons have been explored without success in this case. The result of these investigations included:

- o There are no records of Ms McMahon receiving any Centrelink benefits or being recorded on any Centrelink databases;
- o There is no record of Ms McMahon residing in accommodation supplied by the Department of Housing;
- o Apart from what appears to be a clerical error in Medicare records, there is no information recorded which would indicate that Ms McMahon has sought any medical treatment;



- Enquiries with the Australian Taxation Office reveal that there has been no activity recorded for Ms McMahon since October 2000;
- Ms McMahon had a 'Flexi Account' with the National Australia Bank. The bank account has not been used by Ms McMahon since her disappearance;
- Enquiries with the Department of Foreign Affairs and Trade reveal that Ms McMahon's passport expired on 10 October 1994 and since that time no Australian passport has been issued to her;
- Ms McMahon has not used her passport to travel overseas so if she had left Australia, she would have had to have done so without use of her own passport.

Police considered the circumstances of Ms McMahon's disappearance suspicious and an investigation was conducted by the Major Crime Squad named Operation Inez. Despite an extensive investigation, this operation did not shed any light on the whereabouts of Ms McMahon.

In 2004 a second police operation named Operation Gantry was commenced, this time with a specific target, Donald Victor Morey. Mr Morey is a middle-aged man (date of birth 16 August 1955) with an extensive criminal record. At that time he had recently been charged with a number of crimes including the attempted murder of a female sex worker which had occurred in November 2003. Mr Morey was subsequently convicted of those charges and was



sentenced to a term of imprisonment on 2 September 2005. He remains in custody for those offences. Following this investigation Ms McMahon was not located and there was insufficient evidence obtained to charge Mr Morey.

Since 2005 the WA Police Service has operated a Special Crime Squad which is tasked to review major unsolved crimes.

In 2011 this squad commenced a full investigative and forensic review of the evidence obtained into the disappearance of Sarah McMahon.

As a result of that investigation, the Special Crime Squad requested that an inquest be conducted into the suspected death of Ms McMahon.

The Special Crime Squad prepared a report for the coroner dated 1 October 2012 concerning the disappearance and suspected death of Sarah Anne McMahon.

Of particular interest to the Special Crime Squad was a relatively new and detailed series of allegations contained in an account given by a witness, Natasha Tracy-Anne Kendrick, and recorded in a statement dated 11 November 2011.



That account contained a claim that Ms Kendrick had seen the dead body of a young woman, who she believed to be Ms McMahon. It also contained allegations that comments were made by Mr Morey and another man, Gareth Allen, which if accurate would have certainly implicated Mr Morey in the murder of Ms McMahon and Mr Allen as being an accessory to that crime.

That statement was prepared in a context where Ms Kendrick claimed to believe that she had a fatal illness and wanted to 'make amends'.¹

In the context of Ms Kendrick's possible ill health there was a perceived need to ensure maximum evidence capture by obtaining her account on oath. In addition it was clearly important to ascertain the reliability or otherwise of Ms Kendrick's account, particularly in a context where she had previously provided accounts to police which had not contained this information.

In the context of the report prepared by the Special Crime Squad I concluded that I did have reasonable cause to suspect that Sarah McMahon had died and that the death was a reportable death. In that context it was necessary to hold an inquest into the circumstances of the suspected death, and in the event that a finding could be made that the death had been established beyond all

¹ Statement of Natasha Tracy-Anne Kendrick dated 11/11/2011, Exhibit 1 Volume 2 Tab 3 at para 6



reasonable doubt, into how the death occurred and the cause of the death.

EVENTS LEADING UP TO SARAH McMAHON'S DISAPPEARANCE

At the time of her disappearance Sarah McMahon was living with her family in the suburb of Parkerville. She had been enrolled in a Bachelor of Arts Course at Murdoch University, but on 11 September 2000 she had suspended her studies. It appears that a significant reason for her withdrawing from her studies was the fact that she was then regularly using illicit drugs. The reasons given in the application for suspension of enrolment were, 'Family problems that need sorting and personal reasons of same nature.'²

At the time of her disappearance Ms McMahon had become reasonably friendly with Mr Morey, in spite of their age difference of approximately 25 years. It appears that they met reasonably regularly, they texted each other and spoke on the telephone.

Shortly before her disappearance Ms McMahon had obtained a part-time job at Hugall and Hoile, an irrigation company. She worked at the company's Claremont office at 213-215 Stirling Highway, Claremont.

² Application for Suspension of Enrolment document, dated 5 September 2000, Volume 3, tab 4



Ms McMahon's first day at the new job was Wednesday 1 November 2000, she then worked on Friday 3 November 2000 and Wednesday 8 November 2000.

On that afternoon staff began having after work drinks at about 4pm. Ms McMahon joined the others at about 4.15pm. At one stage she spoke to a reticulation contractor named Paul Pritchard and told him that she had to be somewhere at 5.30pm and asked how long it would take to get there. Mr Pritchard believed that she said the location was Bassendean, a suburb of Perth. He told her that it would take half an hour to which she replied, 'If I'm late, the bloke won't be there'.³

According to Mr Pritchard he recalled Ms McMahon receiving two telephone calls, one at about 4.50pm and another at about 5pm.

The last Mr Pritchard recalled of Ms McMahon was her saying, 'See you later. See you Friday'.⁴

According to Mr Pritchard at the time the deceased looked 'fine; wasn't upset; laughing'⁵.

³ Statement of Paul Watson Pritchard dated 21/12/2000, Volume 2 Tab 2

⁴ Statement of Paul Watson Pritchard dated 21/12/2000

⁵ ts 71



Michael Thrush, an Assistant Manager at Hugall and Hoile, recalled Ms McMahon only having one drink and leaving the premises at about 5.15pm.

Mobile telephone data reveals that Ms McMahon received four telephone calls on her mobile telephone during the day. Of these four calls, one was from a friend, another was from her sister, Kate, and two calls were from Mr Morey.

Kate McMahon, Ms McMahon's younger sister, had called at about 5.15pm. She had arranged for Sarah to collect her from the Mount Helena Baptist Church at 8.30pm that night. The original arrangement had been for their mother to pick Kate up, but due to a headache she had at the time, she had asked Kate to call Ms McMahon to have her pick her up instead.

The last known call was from Mr Morey at 5.20pm. No other calls made to Sarah McMahon's telephone after that time were answered.

Ms McMahon did not arrive at 8.30pm to collect her sister from the church. Calls made from about 5.35pm onwards to Ms McMahon's phone that night were not answered.



Police were not able to locate any witness who could give reliable information as to a sighting of Ms McMahon after that time.

On the evening of 20 November 2000 Ms McMahon's Ford Meteor sedan was located in the car park of Swan District Hospital in Middle Swan by members of the McMahon family who were coincidentally attending the hospital.

Based on information provided by members of the public it appears that the first known observation of the car in the car park was on Friday 10 November 2000, two days after Ms McMahon's disappearance. It appears to have been assumed by police that the car was in the car park earlier and was probably left there on 8 November.

Thorough forensic examination was conducted on the vehicle but nothing was found which would assist police to determine what happened to Ms McMahon.

The keys to the vehicle and Ms McMahon's mobile telephone were not located in her car. The mobile telephone was, however, subsequently located by the caretaker of the Middle Swan Primary School in November or early December 2000. He had located the telephone on the Great Northern Highway at a location not far from the Swan District Hospital.



Unfortunately by the time police obtained possession of the telephone, a forensic examination of it failed to provide useful information in relation to the disappearance.

It is significant that the location where the mobile telephone had been discovered was very close to the location where Ms McMahon's vehicle was found.

THE MOVEMENTS OF DONALD MOREY ON 8 NOVEMBER 2000

To some extent objective evidence relating to Mr Morey's movements on 8 November 2000 can be ascertained from review of his mobile telephone records.

At the time Mr Morey was using a mobile telephone which had been provided for his use by his then employer, Mr Allen.

Police obtained information from Telstra Corporation Limited, the server for the mobile telephone.

These records provided information relating to the time of each call, the duration of the call and, importantly, also the location of the cell tower where the call had been connected.



According to Telstra witness, Timothy Miller, an Assistant Specialist with Telstra Corporation Limited, each tower has a number of cells on it and a caller is connected with one of those cells.

Leaving aside 000 calls, Telstra customers are able to use Telstra towers. The call is usually connected to the cells which provide the best signal strength for the telephone. Ordinarily this means that the call is connected to the geographically closest tower, subject to a number of anomalies.

The circumstances when the connection would not be to the geographically closest tower include when there is extremely bad weather or when the cells cannot cope with the number of calls. An example given by the witness when cells cannot cope was during the Grand Final of the AFL when there may be 100,000 spectators using mobile telephones at the half time break and some calls will be transferred to towers further away.

Unfortunately evidence was not obtained from Telstra in 2000 in relation to the number and location of cell towers then in use, although for present purposes it is assumed that there were a significant number of towers in all the relevant areas and so it is likely that Mr Morey's calls went to the cell tower closest to him when he made the calls, or at least to a cell tower nearby.



The records reveal that Mr Morey made a telephone call transmitted by the Hillarys cell tower at 4.08pm. This telephone call was to Ms McMahon. He then made calls transmitted by the Padbury cell tower and at 5.20pm made a call transmitted by the Warwick cell tower of 1 minute and 30 seconds to Ms McMahon. He then made a telephone call at 5.42pm which was transmitted by the Midland cell tower to his then defacto partner, Lynne Bishop.

Of significance in the present context is the fact that the cell tower in Midland is close to both the Swan District Hospital, where Ms McMahon's car was located, and the location on the Great Northern Highway where her telephone was found.

These telephone records are of potential importance to the case as they reveal that Mr Morey was in telephone contact with Ms McMahon, that the last call which she received was made by him at 5.20pm at a time when he appeared to be moving in the direction of Midland and Middle Swan, and that the paths of the two persons appear to have been converging at about the same time, immediately before Ms McMahon's disappearance.

Ms McMahon is believed to have left the Hugall and Hoile premises at 213 Stirling Highway, Claremont, at about the time when she received the telephone call from



Mr Morey and at that time she is believed to have been travelling towards Bassendean, which is on the way from Claremont to Midland and Middle Swan.

If Sarah McMahon's final destination was at a location close to where her motor vehicle and mobile telephone were subsequently located, and she went directly there, then she must have been in the same general area as Mr Morey.

THE ACCOUNT OF NATASHA KENDRICK

In her statement dated 11 November 2011 Ms Kendrick claimed to have seen a body at Mr Allen's home at 2 Augustus Place, Marangaroo. On her account the body looked like Ms McMahon and it is clear from her statement that she was referring to Ms McMahon.

According to her statement Mr Allen told her to come to the address at about 9.30pm on a night which must have been either 8 November 2000 or close to that date.

In this account she stated that Mr Allen had said something like, 'He's gone and killed her'. She said she walked into Mr Morey's room and saw a naked girl on the bed. She said that there was an 'old fashioned rope' around the girl's neck. She stated that she later saw the rope on the bedroom floor and it was about a yard long.



She stated that the person looked dead to her and there was blood on her face and on her stomach.

She stated that Mr Allen's right hand was swollen and there were marks on his knuckles. She claimed that he said something like, 'He had punched her in the head to shut her up but it didn't'.⁶

Later she stated that she cleaned the house.

Ms Kendrick claimed that she saw Mr Morey carrying 'something wrapped in a quilt over his left shoulder'.⁷ She said she knew it was the girl.

Later she saw Mr Allen put the body in the bed of a utility and Mr Morey drove away.

Police were unable to identify evidence which would corroborate this account.

After the statement was obtained police questioned Mr Allen about its contents and he denied that the account was true.

Ms Kendrick was made aware that Mr Allen had been advised of her allegations. At the time of inquest Ms Kendrick claimed that everything recorded in that statement

⁶ para 55 of Statement of 11/11/2011

⁷ para 78



relating to what she had claimed to have seen at the house in Marangaroo was false.

In evidence Ms Kendrick made the following explanation in relation to the statement:

You just signed it without caring what it said?---No, not without caring what it said. I - I was pretty messed up when - when I went in there. This isn't my statement. This isn't exactly what I said. Some parts of it there is - there is bits of it that I said. I didn't look at it. I was, like - I hadn't slept all night. I'd been drinking vodka, I didn't have my medication, and I didn't know I was going to be in there that long, and I didn't take any medication with me. I think I took one antiviral that was in my bag. I was scared and I was - the main thing I was scared of was that they were going to charge me with something that I hadn't done, and I wasn't going to get out of there. The door was locked - two big doors were locked. I was stuck with all these coppers around me, telling me, 'Boom, boom, boom', telling me what's - 'This happened, that happened, that happened', and - and a fire alarm went off. At the end of this thing a fire alarm went off in the building and it was - they had a good laugh about that, because I freaked out. I was thinking, 'Oh, my God, what's going to happen now?'

Are you saying that these police officers weren't behaving appropriately?---No, they were as far as it looked - you know, I thought they - well, they didn't - they didn't threaten me then. They didn't - they didn't do anything physically to me, or anything, but it was just - the thing at the end, I didn't - that's probably why I didn't read it. I - I just wanted to get out of there, and I was scared.

You were scared of them?---Yes.

At the inquest telephone calls between Ms Kendrick and former detective Michael Bone, Ms Kendrick and her mother and the Ms Kendrick and her brother made shortly after she provided the statement were played. In these it is clear that the account which Ms Kendrick had given to police contained in this statement had been volunteered by her.



Ms Kendrick, for example, referring to her contact with the police told her brother ‘... I have done something positive’.

In the telephone calls Ms Kendrick spoke at length of her interaction with police in very positive terms.

While I accept that Ms Kendrick volunteered the account given in her statement of 11 November 2011 and the conduct of police officers who took the statement was appropriate and professional, in the context of her various accounts and her present claim that the important aspects of the statement are not accurate, little reliance can be placed on the statement.

In so far as the statement referred to the involvement of Mr Allen, he categorically denied its truth.

EVIDENCE TENDING TO IMPLICATE MR MOREY

There was evidence from a number of witnesses at the inquest to the effect that Mr Morey was physically attracted to Ms McMahon and that she did not respond to his approaches.

There was also evidence to the effect that Ms McMahon had been obtaining amphetamines from Mr Morey. Witness Christian Hilderbrandt claimed that about one week before



she went missing, Ms McMahon told him that she had obtained about \$10,000 worth of drugs from Mr Morey which she had to sell. Mr Hilderbrandt also claimed that on 6 November 2000 he was present when Ms McMahon received a telephone call on her mobile telephone which she had said was from Mr Morey. He claimed that at the end of the conversation she said, ‘... that she’d broken the code of silence over the phone’. He said that the reference to breaking the code of silence referred to saying his name and mentioning the drugs.

According to Mr Hilderbrandt, Ms McMahon was ‘... very, very, scared’ (ts 81).

There is, therefore, evidence which could explain why Mr Morey may have had reason to kill Ms McMahon.

Mr Morey in his evidence, however, disputed these claims and asserted that he was friendly to Ms McMahon and tried to be of assistance to her.

As indicated earlier in these reasons the last known contact between Ms McMahon and anyone else was the telephone call which she received from Mr Morey at about 5.20pm on 8 November 2000. Following that conversation their paths appeared to converge and Mr Morey’s telephone call of 5.42pm to his defacto partner must have been made



from a location reasonably close to where Ms McMahon's car and mobile telephone were subsequently located.

This evidence is clearly important evidence tending to implicate Mr Morey.

It was further suggested by police that there was evidence that Mr Morey lied following the disappearance on a number of occasions in relation to his own movements. It was contended that those lies may have resulted from consciousness of guilt.

In addition it was suggested by police that Mr Morey had fabricated entries in his work diary with a view to providing himself with an alibi and that those diary entries were made at a later time than other entries for the same day and were a fabrication.

There was other evidence capable of implicating Mr Morey referred to by police, but I do not propose to refer to the entire case in these reasons.

POSSIBLE LIES MADE BY MOREY INDICATIVE OF CONSCIOUSNESS OF GUILT

Mr Morey was interviewed by police on a number of occasions and also provided interviews to media representatives.



He was interviewed on 21 December 2000 during which a 17 page deposition was obtained. A typed version of this statement was subsequently acquired on 6 March 2001.

In that statement Mr Morey gave an account of his movements on 8 November 2000 in which he claimed that he had driven back from Nedlands to the trucking yard in Wangara at about 2.30pm and had greased, fuelled, watered and oiled two trucks at the yard. He then completed a maintenance run on both trucks. He claimed that he had finished work at about 6.30pm that evening.

He claimed that he had not seen Sarah McMahon that evening.

During an earlier interview with police, on 29 November 2000, Mr Morey had been asked what he was doing on 8 November and at that stage he had referred to his work diary. Unfortunately that work diary had not been immediately seized, but was produced to police about 22 days later.

That work diary on its face appeared to support Mr Morey's account of his movements on 8 November 2000.

In the work diary Mr Morey recorded that he worked from 4pm to 6.30pm completing tasks as follows:



Back at yard greased both trucks fuelled etc water and oil for both Gareth's truck back to his place and washed truck.

Later on down the page the entry reads:

Stayed Gareth's at night

Evidence suggested to cast doubt on the reliability of these entries included:

- 1 Fuel cards were routinely used by drivers to fuel the trucks and these fuel cards had not been used by Mr Morey on 8 November 2000.
- 2 Mr Morey was not paid a set weekly wage, he was paid an hourly wage according to the number of hours he worked. For the week commencing Monday 6 November 2000 Mr Morey's claim did not appear to include the 2 ½ hours he had supposedly spent servicing the two trucks on 8 November 2000.
- 3 Telephone records of the mobile telephone in the possession of Mr Morey do not support his contention that he was in the area of his work from 4pm to 6.30pm that day.
- 4 Mr Allen contended in his evidence that on 8 November 2000 Mr Morey had not spent the night at his home, but had borrowed one of the trucks saying that he was planning to use it to see Ms McMahan.

It is not helpful to analyse the evidence relating to these various points in detail for the purposes of these reasons, but I make the observation that in respect of the



use of the fuel cards, evidence capture by police to this time is not sufficiently comprehensive to positively exclude the use of a fuel card. It would have been helpful if a statement had been obtained from the fuel supplier and records had been obtained from both Mr Allen's business and the fuel supplier relating to all fuel cards being used by the business at that time. This issue highlights the importance of comprehensive evidence capture at an early stage in cases such as this where investigations may continue for a number of years and evidence not adequately captured at an early time may be lost.

Bank accounts and signed fuel dockets obtained from the service station routinely used, however, show that Mr Morey refuelled trucks on 1, 3, 6 and 13 November but not on 8 November 2000.

In his evidence at the inquest one of the suggestions made by Mr Morey to explain the fact that there were no fuel dockets for 8 November was that he may have used a fuel pump at Mr Allen's premises. Mr Allen, however, in his evidence stated that it was not possible to fuel trucks at his yard at the time and the petrol bowser at the yard had been moved for the purpose of making it impossible to fuel the trucks at that bowser. He said that the bowser was intended to be used to fuel bobcats and the diesel which it provided was different to that used by the trucks.



Another suggested explanation made by Mr Morey in his evidence was that he may have paid for the fuel himself using his own funds. Mr Allen, however, emphatically claimed that no drivers ever paid for fuel out of their own funds.

There is evidence capable of supporting a conclusion that Mr Morey lied to police about his movements on 8 November 2000 and falsified documentation to support those lies.

**A CLAIM BY MR MOREY THAT SARAH McMAHON
HAD BEEN MEETING A NURSE OR DOCTOR CALLED
CHRISTINE OR CHRISTIAN ON 8 NOVEMBER 2000**

Early on in the investigation Mr Morey claimed that in the last conversation he had with Ms McMahon she told him that she was meeting a nurse or doctor called Christine or Christian and that they intended going to the casino that night.

It was suggested by counsel assisting at the inquest, Mr Urquhart, that this account may have been fabricated by Mr Morey, based on incorrect information which it appears may have been conveyed to him by Patricia McMahon, Sarah McMahon's mother, in the days after the disappearance.



In fact it appears that there was no such person. This proposition is possibly supported by the fact that in Mr Morey's various accounts this Christine or Christian appears to have evolved from being a former doctor or former nurse to being a 'hooker'.

Mr Morey was questioned about this person at the inquest and the following exchange took place:

I do need to clarify a few points, and I will not be with you for very long. One of the issues that was raised is that I understand when you spoke to police you referred to a "Christine" and you said that Sarah may have been going with this Christine to the casino - a nurse or a doctor, or something like that. Do you recall that?---Yes.

Can you assist me at all in respect of who this Christine person is?---Just a person, your Honour.

Is there any - - -?---She travelled with that person to go over to Victoria.

And have you seen that person?---Certainly have. Yes, I know her.

What does she look like?---Yes, well, I can't divulge that.

But you have given a person's name, "Christine"?---Yes.

Is that the real name?---No.

So that is a false name?---Obviously it's not a real name.

I am sorry?---Obviously it's not her real name.

I see, so that is just a made up name?---Well, to protect her identity, yes.

I see. And is this person - - -?---Quite a lot of things that I said to the police were obviously mumbo jumbo. But as far as Sarah being alive, she is alive.⁸

MR MOREY'S BAG

Evidence was given at the inquest by a number of witnesses that Mr Morey had a bag with sinister contents.

Marta Allen, Mr Allen's wife, claimed that at a time which appears to have been relatively shortly after Ms McMahon's disappearance, she saw a bag which belonged to Mr Morey and which he regularly had with him. She claimed that inside the bag there were two rolls of dirty grey, used gaffer tape, four lengths of ropes with knots in the ends about two feet in length, two knives, one of which was Mr Allen's pocket knife, two large rubber bands, one condom in a packet, two pornographic magazines, between five and seven key rings and a map.

She claimed that the porn books contained pictures of men with blood on their genitals and women tied up who appeared to be dead.

In evidence Mrs Allen described the pictures of these women in the following terms (ts 99):

There was a magazine, a couple of them, they had pictures of women tied up. These women had red lipstick on or bright pink lipstick on, they had their mouths gagged, their eyes gagged or their eyes blindfolded. They had - they were naked and these girls looked dead.

Mrs Allen said that she rang police about the bag as soon as she saw it, but it took them four days to get back to her and for someone to come to their house. In that time Mr Morey's then partner, Lynne Bishop, had taken the bag.



This account in relation to the bag was essentially supported by Mr Allen and Ms Kendrick, who claimed to have seen the bag and its contents at the Allen's house.

Ms Bishop in her evidence vaguely recalled the bag being given to her, but is confident that it was in her possession at some stage.

She said she did look inside the bag and saw a magazine which contained, 'a vision that I didn't like so I just went straight, closed it like that' (ts 119).

She said that what she had seen was a pornographic picture. She said she thought she also saw rope and gaffer tape, but said that rope and gaffer tape were everywhere around her properties and in her car.

She claimed that she had given the bag to a Stephen Taylor.

Mr Taylor was approached by police and he provided a statement in which he claimed that he had never been asked to look after any property by Ms Bishop or Mr Morey and that he had never heard of, seen or taken possession of the bag.



Unfortunately in the context of the fact that the bag has never been located, its potential significance is greatly diminished. If it could be established confidently that Mr Morey had owned a bag containing items described by the witnesses, this may have constituted propensity evidence or indicated that at the time of Ms McMahon's disappearance he had regularly with him items that could have been used in an attack on her. Whether or not evidence as to the contents of the bag could have been significant would depend very much on the precise nature of those contents and without the bag, evidence in that regard is lacking.

THE CLAIM BY MR MOREY THAT MS McMAHON IS STILL ALIVE

Mr Morey has always claimed that Ms McMahon is still alive.

Mr Morey has been interviewed on a number of occasions by police. The most recent interview was on 14 June 2012 when he was interviewed by officers of the Special Crime Squad at the Bunbury Regional Prison.

In that interview he stated that Sarah McMahon was alive and she had two children. He said that she had voluntarily left the country and that he had helped her. He was not, however, prepared to say where she was.



Mr Morey wrote a letter addressed to the ‘Chief State Coroner’ dated 2 December 2012 in anticipation of the inquest in which he made similar claims. He claimed that Ms McMahon now has a daughter and a son. He claimed, however, that he is not prepared to say anything further about her whereabouts as he fears for her safety.

Mr Morey was questioned at the inquest and he again claimed that Ms McMahon was alive. He provided no further information and certainly no information which could be checked.

In written submissions to the court after the inquest these claims were again made, but again no credible information was provided in their support. All of Mr Morey’s claims have been unspecific and he has not provided any information as to when he says Ms McMahon left the country, how she left the country or where she is living.

At the inquest Mr Morey was a most unimpressive witness and I did not consider him to be a witness of truth.

FINDINGS IN RELATION TO THE SUSPECTED DEATH

In the context that Ms McMahon has not been seen since 8 November 2000 and has not contacted her loved ones in the intervening years, I am confident that she is now deceased.



There was no evidence that Sarah McMahon left the country and there are no records held in Medicare, Centrelink, the Australian Taxation Office, the Department of Foreign Affairs and Trade or her bank which would suggest that she was alive in Australia after that time.

While Mr Morey has claimed that she is alive, living overseas, he has provided no supporting information or evidence. As Mr Morey is aware of the fact that he is viewed as a suspect by police he has, and has always had, a motive to claim that Ms McMahon is still alive.

I do not consider it likely that Ms McMahon decided to leave the country and managed to do so without using her passport and without any relatives or close friends knowing what she was doing.

On the day when she went missing Ms McMahon had arranged to pick up her younger sister from the Mount Helena Baptist Church at 8.30pm which she did not do. Her car and mobile telephone were later found abandoned, the car at the car park of the Swan District Hospital and the mobile telephone on the median strip of the Great Northern Highway. The fact that Ms McMahon did not pick up her sister as planned and her car and telephone were found abandoned in these circumstances is sinister and suggests that something untoward had happened to her.



Based on all of the evidence I am satisfied beyond all reasonable doubt that Sarah McMahon is dead.

THE POSSIBLE VERDICTS

Ms McMahon was a 20 year old woman in relatively good health. There is no reason to believe that she would have died suddenly of natural causes. If that had happened, her body should have been located.

Although there is some evidence that Ms McMahon had been depressed on occasions in the period before her disappearance, evidence of witnesses who saw her on 8 November 2000 describe her as being in a happy and positive mood. When she was last seen Ms McMahon was going to meet someone and had later plans to pick up her sister. There is no reason to suppose that she would suddenly contemplate suicide and take her own life. In addition, had the death arisen by way of suicide, that would not explain the disappearance.

There is no suggestion that Ms McMahon could have suffered some unforeseen accident and, again, the fact that she has disappeared appears to be inconsistent with the possibility of accidental death.

In the circumstances of this case I am satisfied that the death arose by way of Homicide.



THE PERSON OR PERSONS RESPONSIBLE FOR THE DEATH

In these reasons I have explored some of the evidence obtained by police during a number of investigations into the suspected death, particularly investigations relating to a person identified as a suspect, Mr Morey.

A possible benefit served by the inquest is that it has assisted to crystallise where the evidence has been going in respect of a number of issues raised in relation to the suspected involvement of Mr Morey. It is for that reason I have reviewed some of that evidence in these reasons.

It is important to recognise that *section 25(5) of the Coroners Act 1996* provides:

A coroner must not frame a finding or a comment in such a way to appear to determine any question of civil liability or to suggest that any person is guilty of any offence.

In the above context my function in relation to analysing the evidence relating to Mr Morey is clearly limited.

While in an appropriate case a coroner may find that a person has caused or contributed to the death, in this case the evidence is complex and there are many credibility issues which would need to be resolved in making any such determination. It is always possible that some further evidence may come to light which could result in criminal charges being laid at some later date.



In that context I do not propose to make any finding in relation to Mr Morey's involvement.

CONCLUSION

Sarah McMahon was 20 years of age when she disappeared on the afternoon of Wednesday 8 November 2000.

She was reported missing on the following day by her mother and there have been no reliable sightings of her since that time.

I find that she died on or about 8 November 2000.

As indicated above, the circumstances in which Ms McMahon disappeared are sinister and I have confidently been able to exclude the possibility that she died by way of natural causes, accident or suicide. In my view the evidence points overwhelmingly to the proposition that she died by way of Unlawful Homicide. As her body has not been located I am unable to determine how she died.

A N HOPE
STATE CORONER
17 January 2013

